

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SONRAI MEMORY LIMITED, Plaintiff, v. KIOXIA CORPORATION, KIOXIA AMERICA, INC., Defendants.	Case No. 6:21-cv-00400-ADA
SONRAI MEMORY LIMITED, Plaintiff, v. DELL TECHNOLOGIES INC., Defendant.	Case No. 6:21-cv-00361-ADA
SONRAI MEMORY LIMITED, Plaintiff, v. APPLE INC., Defendant.	Case No. 6:21-cv-00401-ADA
SONRAI MEMORY LIMITED, Plaintiff, v. GOOGLE LLC, Defendant.	Case No. 6:21-cv-00167-ADA

<div>SONRAI MEMORY LIMITED, Plaintiff, v. LG ELECTRONICS INC., LG ELECTRONICS U.S.A., INC., Defendants.</div>	Case No. 6:21-cv-00168-ADA
<div>SONRAI MEMORY LIMITED, Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., Defendants.</div>	Case No. 6:21-cv-00169-ADA
<div>SONRAI MEMORY LIMITED, Plaintiff, v. WESTERN DIGITAL TECHNOLOGIES, INC. Defendants.</div>	Case No. 6:21-cv-01168-ADA

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court ORDERS that the following schedule will govern deadlines up to and including the trial of this matter:

Previous Deadline	New Deadline	Item
August 17, 2021	November 19, 2021 As to Western Digital	Plaintiff serves preliminary ¹ infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (i.e. the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
September 8, 2021	N/A	The Parties shall submit an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of each Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.
October 13, 2021	December 7, 2021 As to Western Digital	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s). To the extent that Sonrai asserts infringement contentions for any claims that have not yet been asserted against any other defendant, Western Digital may provide its preliminary invalidity contentions later than this deadline following the certification in FN1.
	December 7, 2021	Western Digital identifies any additional terms for construction
November 3, 2021	December 13, 2021	Sonrai and Western Digital exchange any new proposed claim constructions

¹ The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served, and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

Previous Deadline	New Deadline	Item
November 3, 2021	December 13, 2021	<p>Sonrai and Western Digital disclose any new extrinsic evidence.</p> <p>The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony.² With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.</p>
November 10, 2021	December 16, 2021	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
November 17, 2021	December 23, 2021	Defendants file Opening claim construction brief, including any arguments that any claim terms are indefinite.
December 8, 2021	January 13, 2022	Plaintiff files Responsive claim construction brief.
December 22, 2021	January 27, 2022	Defendants file Reply claim construction brief.
January 5, 2022	February 10, 2022	Plaintiff files a Sur-Reply claim construction brief.
January 10, 2022	February 15, 2022	Parties submit Joint Claim Construction Statement.
January 12, 2022	February 18, 2022	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).
January 19, 2022	February 25, 2022	Markman Hearing, 9:00 a.m.
January 20, 2022	February 28, 2022	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).

² Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

Previous Deadline	New Deadline	Item
March 2, 2022	April 8, 2022	Deadline to add parties.
March 23, 2022	April 29, 2022	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to Infringement or Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
May 11, 2022	June 17, 2022	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or claims. (Note: This includes amendments in response to a 12(c) motion.)
July 20, 2022	August 26, 2022	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and the prior art references at issues. Unless the parties agree to the narrowing, they are ordered to contact the Court's Law Clerk to arrange a teleconference with the Court to resolve the disputed issues.
August 18, 2022	September 23, 2022	Close of Fact Discovery.
August 25, 2022	October 7, 2022	Opening Expert Reports.
September 22, 2022	November 4, 2022	Rebuttal Expert Reports.
October 14, 2022	November 23, 2022	Close of Expert Discovery.
October 21, 2022	November 30, 2022	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
November 2, 2022	December 8, 2022	Dispositive motion deadline and <i>Daubert</i> motion deadline.
November 16, 2022	December 22, 2022	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
November 30, 2022	January 10, 2023	Serve objections to pretrial disclosures/rebuttal disclosures.
December 7, 2022	January 17, 2023	Serve objections to rebuttal disclosures and file Motions <i>in limine</i> .

Previous Deadline	New Deadline	Item
December 14, 2022	January 24, 2023	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i>
December 21, 2022	January 31, 2023	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com. Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
3 business days before Final Pretrial Conference.	3 business days before Final Pretrial Conference	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
		Final Pretrial Conference. The Court expects to set the Final Pretrial Conference within 2-4 weeks of the trial date. The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing.
		Jury Selection/Trial. The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing.

SIGNED this 17th day of November, 2021.


 ALAN D ALBRIGHT
 UNITED STATES DISTRICT JUDGE